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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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MAY 30 2001

Illinois Commerce Commission  
RAIL SAFETY SECTION

THE DEPARTMENT OF TRANSPORTATION )  
OF THE STATE OF ILLINOIS, for and in )  
behalf of the People of the State of Illinois, )

Petitioner, )

VS. )

TP & W ACQUISITION CORPORATION, )

Respondent. )

(Parcels 407H206PE and 407H206TE)

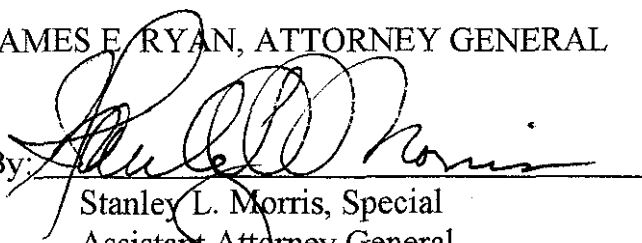
No. 01-T-0035

MOTION TO DISMISS

NOW COMES THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, Movant, by JAMES E. RYAN, ATTORNEY GENERAL and STANLEY L. MORRIS, Special Assistant Attorney General, and does state that the subject matter of the Petition for Approval to Take Property in the referenced Docket has been fully resolved and Movant, therefore, voluntarily dismisses the above-referenced Docket.

THE DEPARTMENT OF TRANSPORTATION,  
STATE OF ILLINOIS, Petitioner

JAMES E. RYAN, ATTORNEY GENERAL

By:   
Stanley L. Morris, Special  
Assistant Attorney General

Stanley L. Morris  
Special Assistant Attorney General  
205 South Fifth Street, Suite 900  
Springfield, Illinois 62705-0255  
Telephone: (217) 753-1133

**DOCKETED**

**PROOF OF SERVICE**

The undersigned certifies that on March 9, 2001, a copy of the foregoing document was deposited in the U.S. Mail, with postage prepaid, at Springfield, Illinois, plainly addressed to:

Mr. Todd Cecil  
TP& W Acquisition Corporation  
c/o Rail America, Inc.  
4440 Broadway, Suite 200  
San Antonio, Texas 78209

Susan A. Deutsch